

FILED

AUG 22 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

EARL WATKINS,

Defendant.

No.

4:19CR00697 SRC/SPM

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Katharine Dolin, Special Assistant United States Attorney for said District, and moves this Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with two counts of possession of a controlled substance with intent to distribute, in violation of 21 U.S.C. § 841, offenses for which a maximum 20 years' imprisonment is prescribed, one count of felon in possession of a firearm, in violation of 18 U.S.C. § 922, an offense for which a maximum 10 years' imprisonment is prescribed, and one count of possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924, an offense for which a minimum of 5 years' imprisonment is prescribed.

2. According to St. Louis Metropolitan Police Department Incident Report 19-035259, during the week of June 24, 2019, Officer Samuel Rachas of the SLMPD received information

from a confidential source that the occupant of 4419 Pennsylvania, 2nd floor, had been selling drugs. The confidential source gave a description of the occupant, which was corroborated by a CRIMEMATRIX search of the address, revealing Earl Watkins to be the occupant. A computer inquiry revealed Watkins to be a convicted felon. The confidential source confirmed Watkins's identity with a photo. Officer Rachas surveilled the residence on four separate dates, witnessing what appeared to be seven hand-to-hand drug transactions and Watkins carrying a small handgun outside of his residence. A no-knock search warrant for Watkins's home at 4419 Pennsylvania Avenue, 2nd floor, was applied for and received. The warrant was executed on July 23, 2019. Watkins indicated that he is the sole occupant of the apartment and owns the entirety of its contents. Inside of the bedroom, officers found nine tablets of methamphetamine (1.17 g), a baggie of crack (2.10 g), a box of 9mm ammunition, a loaded 9mm magazine, \$395, Watkins's paperwork, and a cell phone. In the living room, officers found a 9mm handgun (7 live cartridges in extended magazine), a box of 12-gauge shotgun shells, and a box of .380 ammunition. In the kitchen, officers found a Mossberg 500 12-gauge shotgun, Watkins's paperwork, a digital scale, and a box of plastic baggies. Watkins gave a recorded statement admitting ownership of all contraband.

3. Watkins's ongoing drug trade and his possession of multiple firearms in furtherance of it, one of which he has openly carried outside of his home, evidences his danger to the community.

4. Defendant's criminal history reflects that he has convictions including, but not limited to, the following:

Date	Case Number	Offense	Sentence
6/30/97	229610119001	Stat Rape 1 (fel)	20 yrs
6/30/97	229610119001	Stat Rape 1 (fel)	20 yrs
4/20/17	1622CR0124601	Trespass 1 (B misd)	6 mths
4/20/17	1622CR0124601	Prop Dam 2 (B misd)	6 mths
5/10/19	1822CR0380401	Poss C/S (D fel)	5 SES 3

He has findings of guilt not resulting in convictions including, but not limited to, the following:

9/23/92	9210001820	Poss C/S (C fel)	SIS
9/23/92	9210001820	Poss MJ (A misd)	SIS
1/20/93	9210003419	Poss C/S (C fel)	SIS

5. Defendant's criminal history also reflects arrests not resulting in convictions including, but not limited to, the following: felony possession of a controlled substance (4 cts), first-degree burglary, second-degree assault, first-degree domestic assault, first-degree tampering with a motor vehicle, possession of less than 35 g marijuana, ordinance driving while revoked, second-degree property damage, felony receiving stolen property (3 cts), failure to register as sex offender, possession of drug paraphernalia, felony possession of firearm (3 cts), unlawful use of a weapon (3 cts), felony distributing/delivering/manufacturing a controlled substance, delivering a controlled substance, and parole violation (3 cts).

6. His convictions for sex offending against minors, as well as his assault, burglary, and weapons arrests, evidences his dangerousness to the community. He also has a lengthy history of drug charges evidencing an ongoing drug business.

7. Watkins has used various aliases in the past, such as "Earl Jones," "Michael Jones," and "Earl Watson." He has also used several social security numbers and birthdates. His use of deceptive practices in the past reflects a heightened flight risk.

8. Defendant committed this offense while on state probation for a controlled substance offense. Defendant has three times before been arrested for a parole violation as well as failing to register as a sex offender. Defendant's inability to comply with the law while on probation is indicative of his danger to the community and risk of flight were he to be released on bond in this case.

9. There is a serious risk that Defendant will flee, given Defendant's history of his failure to comply with supervision while on probation and community release, and the potential sentence Defendant faces in this case.

10. Defendant's criminal history and the nature and circumstances of the offense charged reflect that there is a serious danger to the community that would be posed by Defendant's release. Further, there are no conditions or combination of conditions that will reasonably assure Defendant's appearance as required.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Katharine A. Dolin
KATHARINE A. DOLIN, #64817MO
Special Assistant United States Attorney